

REMARKS

Claims 1-6 were pending at the time of examination. Claim 3 has been amended. No new matter has been added. The applicant respectfully requests reconsideration based on the foregoing amendments and these remarks.

Claim Objections

Claim 3 was objected to because the claim is not complete and does not end with a period

In order to overcome the objections, the applicant has amended the claim to be complete and ended the claim with a period. For at least this reason claim 3 is now in allowable form.

Claim Rejections – 35 U.S.C. § 102

Claims 1-6 were rejected under 35 U.S.C § 102(e) as being anticipated by published U.S. Patent Application No. 2002/0040352 to McCormick (hereinafter “McCormick”).

The applicant’s invention pertains to a method of providing an e-business audit trail in a distributed computing system. McCormick, on the other hand, is directed to “an electronic commerce network that facilitates the exchange of goods and services” (McCormick, Abstract). The notion of audits or creating an audit trail is never mentioned in McCormick.

Even so, the Examiner alleges that paragraphs 0031 and 0049 of McCormick show “determining if a message is to be sent to a subscriber by a message service;”. The applicant respectfully disagrees. Paragraphs 0031 and 0049 of McCormick discuss a message bus and event channels that are “the communications backbone of the BVN™ System Incorporation Framework 5000” (McCormick, paragraph 0049), that is, an infrastructure for passing messages. Neither paragraph 0031 nor 0049 discusses how this infrastructure could possibly be used to determine whether a message is to be sent to a subscriber by a message service.

The Examiner further alleges that paragraph 0127 of McCormick shows “if the message is to be sent, determining if an administrator is running;”. Again, the applicant respectfully disagrees. The administrator in paragraph 0127 of McCormick is “a User 2055 that has special privileges” and that can “execute processes that are not available to a normal User 2055” (McCormick, paragraph 0127). The User 2055 in McCormick is further defined in paragraph 0126 as “a generic role that represents an individual that is registered to the network” and “when industry-specific roles are not defined for the individual Users...the User 2055 role will be used exclusively for individuals.” In the applicant’s invention the determination does not pertain to whether a User (individual or role) with special privileges is running, but instead to whether an

administrator component 207 of the computing system is running. The administrator 207 is, among other things, "capable of maintaining an audit trail of all the transactions carried out by a Java Messaging System (JMS) 206, and is included in or coupled to the JMS 206" (specification, page 9, line 33 to page 10, line 1). As can be seen, the applicant's administrator is different from the administrator in McCormick, not only in terms of its embodiment (i.e., a component that is part of the computing system, and not a role representing an organization or a physical individual), but also in terms of the tasks the administrator performs.

Furthermore, the Examiner alleges that McCormick shows:

"if the administrator is running, storing the message in a corresponding topic in the administrator;

if the administrator is not running, storing the message by the message service;

if the administrator is running, storing a response to the sent message in the topic in the administrator corresponding to the sent message;

if the administrator is not running, storing the response by the message service;". It should be clear from the above discussion of the differences between the administrator in the applicant's invention and the administrator in McCormick that none of these method steps occur in McCormick.

Lastly, the Examiner alleges that paragraph 0966 of McCormick shows "creating an audit trail by retrieving the stored sent message and the corresponding response." The Examiner supports this opinion based on a section of McCormick that shows "all actual events are created based on their corresponding Event Specification (i.e., "template" Events)." The applicant respectfully disagrees, and contends that creating an event based on an event specification or template, is not identical to creating an audit trail by retrieving a sent message and a corresponding response. In fact, the word "audit" cannot be found anywhere in McCormick and creating an audit trail does not form part of the electronic commerce network disclosed in McCormick. For at least these reasons, the rejection of claim 1 is unsupported by the art and should be withdrawn.

Claims 2-6 all depend from claim 1 and the rejection of these claims is unsupported by the art for at least the reasons discussed above with respect to claim 1, and should be withdrawn.

Claim Rejections – 35 U.S.C. § 112

Claim 3 was rejected under the first paragraph of 35 U.S.C § 112 as being based on a disclosure that is not enabling, and being incomplete. The applicant submits that claim 3, as

amended, is now complete. Enabling support for claim 3 can be found, for example, in the specification on page 6, lines 1-22.

Claim 3 was also rejected under the second paragraph of 35 U.S.C § 112 as being incomplete for omitting essential elements that are required for the claim analysis. The applicant submits that claim 3, as amended, is complete and contains all elements needed for claim analysis. For at least these reasons, the rejections of claim 3 are unsupported and should be withdrawn.

Claims 4-6 are dependent on claim 3 and were rejected by the same rationale. For reasons substantially similar to those set forth above with respect to claim 3, the applicant respectfully contends that the rejection of claims 4-6 is unsupported by the cited art and should be withdrawn.

Conclusion

Applicant believes that all the rejections in the office action are now moot, and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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